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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,328	09/02/2003	Tyson R. McGuffin	200208662-1	2964

7590 11/16/2005

HEWLETT-PACKARD COMPANY  
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P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

WHITMORE, STACY

ART UNIT	PAPER NUMBER
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2825

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/653,328

Applicant(s)

MCGUFFIN ET AL.

Examiner

Stacy A. Whitmore

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 16-22 and 24-27 is/are allowed.
- 6) ☒ Claim(s) 12-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/2/03 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/2/03.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### FINAL ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Allen (US Patent 6,151,568).
3. As for claims 1-7, 12-22, and 24- 26, Allen discloses he invention as claimed, including a power estimation system, comprising  
a predetermined power characterization associated with at least one or a plurality of non-conventional circuit types (clock-gater) of a circuit design that relates power as a function of output drive load for a given clock-gater circuit [col. 13, line 19 – col. 16, line 8];  
a power estimator that computes power associated with at least one conventional circuit of the circuit design to the power determined by the clock-gater calculator to provide a total power associated with the at least one clock gater and the at least one conventional circuit [col. 13, line 19 – col. 16, line 8];  
the clock-gater determines power associated with a plurality of clock-gater types by evaluating a corresponding functional relationship of power as a function of output drive load for each of the plurality of clock-gater types [col. 13, line 19 – col. 16, line 8];  
the clock-gater derives an output drive load associated with a corresponding clock-gater by parsing a node capacitance list associated with a circuit design instance [col. 13, line 19 – col. 16, line 8];  
the clock-gater calculator determines power associated with a plurality of clock-gaters by adding power determined for each of the respective clock-gaters of the plurality of clock-gaters [col. 13, line 19 – col. 16, line 8].

4. Claims 1-11, 16-22, and 24-27 are allowed over the prior art of record.
5. Applicant's arguments, filed August 26, 2005, with respect to claims 1-11, 16-22, and 24-27 have been fully considered and are persuasive. The rejection of claims 1-11, 16-22, and 24-27 has been withdrawn.
6. Applicant's arguments filed August 26, 2005, with respect to claims 12-15 have been fully considered but they are not persuasive.

In the remarks, applicant argues in substance:

A: Allen does not disclose a predetermined power characterization associated with at least one or a plurality of non-conventional circuit types (clock-gater) of a circuit design that relates power as a function of output drive load for a given clock-gater circuit.

B: Allen does not disclose a power estimator that computes power associated with at least one conventional circuit of the circuit design to the power determined by the clock-gater calculator to provide a total power associated with the at least one clock gater and the at least one conventional circuit.

Examiner respectfully disagrees for the following reasons:

As to A: Allen does disclose a predetermined power characterization associated with at least one or a plurality of non-conventional circuit types (clock-gater) of a circuit design that relates power as a function of output drive load for a given clock-gater circuit [col. 13, line 19 – col. 16, line 8 – in col. 13 – col. 16, especially col. 14, lines 30-67, and col. 15, lines 1-4];

As to B: Allen does disclose a power estimator that computes power associated with at least one conventional circuit of the circuit design to the power determined by the clock-gater calculator to provide a total power associated with the at least one clock gater and the at least one conventional circuit [col. 13, line 19 – col. 16, line 8, especially col. 14, lines 30-67, and col. 15, lines 1-4].

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stacy A. Whitmore whose telephone number is (571) 272-1685. The examiner can normally be reached on Monday-Thursday, alternate Friday 6:30am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stacy A Whitmore  
Primary Examiner  
Art Unit 2825

SAW  
November 10, 2005

A handwritten signature in black ink, appearing to be 'SAW' followed by a stylized flourish.